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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (C) No. 1947 of 2007

Petitioners

1. Devi Singh Bharadwaj, aged 65 years, S/o Late Ganpat Singh Bharadwaj, Resident of Ispat Nagar, Risali, Bhilai, Vice-President, Maitri Educational Society, Anjora, Durg (Chhattisgarh).
2. Dinesh Kumar Mishra, aged 43 years, S/o Shri B. B. Mishra, MIG-I-865, Hudco Bhilai, Distt. Durg (Chhatisgarh).
3. Yuvraj Singh, aged 36 years, S/o R. V. S. Chauhan, R/o MIG-II/429, Bhilai District Durg (Chhatisgarh)
4. Dr. Vipin Arora, aged 36 years, S/o Shri R. L. Arora, Qr. No. 1/A, Street-19, Sector-10, Bhilai, Distt. Durg (Chhattisgarh).
5. Ravi Watane, aged 37 years, S/o S. B. Watane, Ispat Nagar, Bhilai, Durg (Chhattisgarh).
6. S. Sajan, aged 33 years, S/o K. Sudhakaran, Ispat Nagar, Bhilai, Durg (Chhattisgarh).
7. S. B. Rao, aged 36 years, S/o Shri S. P. Rao, Qr. No.-22/A, Street No.2, Sector-1, Bhilai, Distt. Durg (Chhattisgarh).
8. Dr. Rakesh Mittal, aged 45 years, S/o Late L. R. Agrawal, Mittal Hospital, Juni line, Bilaspur (Chhattisgarh)

Versus

Respondents

1. State of Chhattisgarh, Through Special Secretary, Department of Commerce & Industries, Mantralaya, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh).
2. Registrar, Firms & Societies, Raipur Division, O-5, Anupam Nagar, Raipur (Chhattisgarh).
3. Assistant Registrar, Firms & Societies, Raipur Division, O-5, Anupam Nagar, Raipur (Chhattisgarh).
4. Anjay Surana, S/o Shri Phool Chand Surana, R/o Jawahar Chowk, Durg, Distt. Durg (Chhattisgarh)

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SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Shri Manindra Shrivastava, Senior Advocate with Shri Yashwant Singh Thakur, *Advocate for the petitioners.*

Shri Utkarsh Verma, Deputy Government Advocate for the respondents.

ORDER

(Passed on this 2nd day of April, 2007)

1. Learned Senior counsel appearing for the petitioners submits that the petitioners have preferred an appeal under Section – 40 of the Chhattisgarh Society Registrikaran Adhiniyam 1973 (amended 1998), before the Government of Chhattisgarh, Ministry of Commerce & Industries, through the Special Secretary on 27th February, 2007, against the order dated 20th February, 2007 passed by the Registrar, Firms & Societies, Raipur in Appeal Case No. 3147/2007 (Maitri Educational Society and another Vs. Registrar Firms and Societies, Raipur and others).
2. Learned counsel appearing for the petitioners further submits that in spite of the fact that the statutory appeal is pending before the Government, the Government has decided to hold elections of the society and it has been learnt that the Returning Officer has been appointed for the purpose, in the first week of March, 2007.
3. The main dispute seems to be the control and supervision of the management of the society, between two groups. In view of that it is not proper to hold election without deciding the statutory appeal, pending before the State Government.
4. Thus, it is directed that the said appeal, pending before the State Government shall be decided within a period of two weeks from the date of receipt of a copy of this order. It is further directed that no election process be initiated prior to the disposal of the pending appeal before the State Government.
5. In view of the foregoing, this petition stands disposed of.

Sd/-
Satish K.Agnihotri
Judge

Thakur